

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID EDMOND TRINE,

Defendant.

CR-13-50-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 1, 2022. (Doc. 113.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 1, 2022. (Doc. 108.) The United States accused David Edmond Trine (Trine) of violating his conditions of supervised release 1) by refusing to allow his probation officer to conduct a home visit; and 2) by using methamphetamine. (Doc. 106.)

At the revocation hearing, Trine admitted that he had violated the conditions of his supervised release 1) by using methamphetamine. The government failed to satisfy its burden of proof with respect to alleged violation 1. (Doc. 108.) Judge Johnston found that the violation Trine admitted proved to be serious and warranted revocation, and recommended that Trine receive a custodial sentence of 6 months, with 42 months of supervised release to follow. Judge Johnston recommended Trine self-report to the Cascade County Detention Center on or before 12:00 p.m. (noon) on June 6, 2022. (Doc. 113.) Trine was advised of his right to appeal and his right to allocute before the undersigned. He waived those rights. (Doc. 108.)

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 113) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant David Edmond Trine be sentenced to the Bureau of Prisons for 6 months, with 42 months of supervised release to follow. Trine will self-report to the Cascade County Detention Center by 12:00 p.m. (noon) on June 6, 2022.

DATED this 1st day of June, 2022.



Brian Morris, Chief District Judge
United States District Court